

UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

U.S. COURT OF APPEALS  
**FILED**

No. 98-30174

D.C. Docket No. 93-CV-1460

WILLIAM DESHAZER AND LOUISE DESHAZER

Plaintiffs - Appellants

CHARLES R. FULBRIDGE II  
USDC, WESTERN DISTRICT OF LA  
ROBERT H. SHENWELL, CLERK  
DATE 1/13/99  
BY R.H.S.

v.

ARCO OIL & GAS CO, A division of Atlantic Richfield Company  
Defendant - Appellee

Appeal from the United States District Court for the  
Western District of Louisiana, Lafayette.

Before GARWOOD, BARKSDALE, and STEWART, Circuit Judges.

JUDGMENT

This cause came on to be heard on the record on appeal and was argued by counsel.

ON CONSIDERATION WHEREOF, it is now here ordered and adjudged by this Court that the judgment of the District Court in this cause is affirmed.

IT IS FURTHER ORDERED that plaintiffs-appellants pay to defendant-appellee the costs on appeal to be taxed by the Clerk of this Court.

ISSUED AS MANDATE: JAN 12 1999

COPY SENT  
DATE 1/13/99  
BY APL  
TO AFC  
M.S.

A true copy  
Test

Clerk, U. S. Court of Appeals, Fifth Circuit

By Deputy Clerk  
Deputy JAN 12 1999

New Orleans, Louisiana

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UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

No. 98-30174

U.S. COURT OF APPEALS  
**FILED**

DEC 21 1998

CHARLES R. FULBRIDGE II  
CLERK

WILLIAM DESHAZER and LOUISE DESHAZER

**Plaintiffs-Appellants,**

**versus**

ARCO OIL & GAS CO.,  
A Division of Atlantic Richfield Company

**Defendants-Appellees.**

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Appeal from the United States District Court  
for the Western District of Louisiana  
(93-CV-1460)

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Before GARWOOD, BARKSDALE, and STEWART, Circuit Judges.

Per Curiam:<sup>\*</sup>

Appellants appeal the summary judgment against their claims (malicious prosecution, defamation, intentional infliction of emotional distress and loss of consortium), all arising out of disputes and resulting litigation between Appellee and Appellant William Deshazer, a former senior engineer for Appellee, concerning his post-employment assistance to a party engaged in litigation with Appellee over an explosion on one of Appellee's platforms.

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\* Pursuant to 5TH CIR. R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

No authority need be cited for the fact that we review a summary judgment *de novo*, applying the same test as does the district court. Such judgment is proper if the summary judgment record shows that there is no material fact issue and that the movant is entitled to a judgment as a matter of law. FED. R. CIV. P.56.

Pursuant to our requisite *de novo* review, and having considered the briefs and oral argument presented on appeal, we conclude that summary judgment is proper, essentially for the reasons stated by the district court in its comprehensive opinion.

**Deshazer v. Arco Oil & Gas Co.**, No. 93-CV-1460 (W.D. La. Jan. 26, 1998).

**AFFIRMED**

*closed* *RFD*  
**United States Court of Appeals**

FIFTH CIRCUIT  
OFFICE OF THE CLERK

CHARLES R. FULBRUGE III  
CLERK

TEL. 504-589-6514  
600 CAMP STREET  
NEW ORLEANS, LA 70130

January 12, 1999

Mr Robert H Shemwell, Clerk  
Western District of Louisiana, Lafayette  
United States District Court  
300 Fannin Street  
Suite 1167  
Shreveport, LA 71101

No. 98-30174 Deshazer v. Arco Oil & Gas Co  
USDC No. 93-CV-1460

Enclosed, for the district court only, is a certified copy of the judgment issued as the mandate.

Enclosed, for the district court only, is a copy of the court's opinion.

Record/original papers/exhibits to be returned.

Sincerely,

CHARLES R. FULBRUGE III, Clerk

By: *Kristin Gondrella*  
Kristin Gondrella, Deputy Clerk

cc: (letter only)  
Honorable Rebecca F Doherty  
Mr William M Bass  
Mr Lawrence J Ernst

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